

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

ERIC MATTHEW MUMAW,  
#QA9960,

Petitioner,

v.

THOMAS MCGINLEY,  
Superintendent,

Respondent.

CIVIL ACTION NO. 4:23-cv-00491

(SAPORITO, J.)

**ORDER**

AND NOW, this 7<sup>th</sup> day of November, 2024, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1. The report and recommendation of Judge Bloom (Doc. 15) is **ADOPTED in part and NOT ADOPTED in part;**

2. With respect to the alternative finding that claim #5, challenging the state trial court's refusal to permit certain opinion testimony regarding the authenticity of electronic evidence, had been denied on the merits by the state appellate court, the report and recommendation is **NOT ADOPTED;**

3. The remainder of the report and recommendation is **ADOPTED** as the decision of the court, as supplemented by the

accompanying Memorandum;

4. The petitioner's § 2254 petition for a writ of habeas corpus is  
**DENIED;**

5. A certificate of appealability shall not issue; and

6. The clerk shall mark this case as **CLOSED**.

*s/Joseph F. Saporito, Jr.*  
JOSEPH F. SAPORITO, JR.  
United States District Judge